

November 29, 2024

LAURA A. AUSTIN, CLERK

BY:

/s/ T. Taylor  
DEPUTY CLERK

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
ROANOKE DIVISION**

**RICHARD ANTHONY POMENTA,**  
**Plaintiff,**

**V.**

**CLAY CORBIN, et al.,  
Defendants.**

**Civil Action No. 7:24cv00199**

## OPINION and ORDER

**By: Robert S. Ballou**

**United States District Judge**

In March 2024, Richard Anthony Pomenta, a Virginia inmate proceeding *pro se*, filed this civil rights action pursuant to 42 U.S.C. § 1983, alleging racial discrimination and interference with his right of access to the courts. In October 2024, Pomenta filed a Motion for Preliminary Injunction (ECF No. 39) and a Motion for Protective order (ECF No. 40), alleging that he was in fear of his life because of retaliatory actions allegedly committed by the defendants in this lawsuit. The court received both motions on October 7, 2024.

On October 10, 2024, the court received a Notice of change of address, indicating that Pomenta had been transferred to Nottoway Correctional Center and was no longer at the Northwestern Regional Adult Detention Center (NRADC). The envelope had been stamped as “legal mail” by the Nottoway Correctional Center and was postmarked October 8, 2024, indicating that Pomenta was no longer at NRADC.

All the defendants are employees of NRADC. The court concludes that Pomenta's transfer to a new facility, unrelated to the defendants, moots his request for a preliminary injunction and a protective order. *See Williams v. Griffin*, 952 F.2d 820, 823 (4th Cir. 1991) (holding that prisoner's transfer rendered moot his claims for injunctive relief at the prior facility). Accordingly, Pomenta's Motion for Preliminary Injunction (ECF No. 39) and Motion for Protective Order (ECF No. 40) are **DENIED AS MOOT**.

The Clerk shall send a copy of this opinion and order to Pomenta.

Enter: November 27, 2024

*/s/ Robert S. Ballou*

Robert S. Ballou  
United States District Judge